

**The decisions made by the ESC in the following pages  
have yet to be approved by the BSCC Board.**

**BOARD OF STATE AND COMMUNITY CORRECTIONS  
SB 1022 ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION  
PROGRAM  
EXECUTIVE STEERING COMMITTEE  
OCTOBER 26, 2012 MEETING MINUTES**

<b>COMMITTEE CHAIR:</b>	Dean Growdon, Sheriff, Lassen County
<b>CO-CHAIR:</b>	Leroy Baca, Sheriff, Los Angeles County
<b>LOCATION:</b>	Victims Compensation and Government Claims Board 400 R Street, Sacramento River Room Sacramento, CA 95811
<b>CONVENED:</b>	<b>ADJOURNED:</b>
October 26, 2012 9:00 am	October 26, 2012 4:30 pm

**Present:**

**Executive Steering Committee Members:**

Dean Growdon, Sheriff, Lassen County; Leroy Baca, Sheriff, Los Angeles County; William D. Gore, Sheriff, San Diego County; Steve Freitas, Sheriff, Sonoma County; Terri Daly, Chief Administrative Officer, El Dorado County; Larry Spikes, County Administrative Officer, Kings County; Joni Gray, County Supervisor, Santa Barbara County; Federal Glover, County Supervisor, Contra Costa County; Scott MacDonald, Chief Probation Officer, Santa Cruz County; Stephanie James, Chief Probation Officer, San Joaquin County; Dr. Don Kingdon, Deputy Director, California Mental Health Directors Association.

**Board of State and Community Corrections (BSCC) Staff:**

Bob Takeshta, Deputy Director; Gary Wion, Deputy Director; Leslie Heller, Field Representative; Charlene Aboytes, Field Representative; Micheal Collins, Field Representative; John Kohls, PhD., Corrections Consultant; and, John Berner, PhD., Corrections Consultant.

**Minutes Prepared By:** Charlene Aboytes and Ginger Wolfe

Sheriff Dean Growdon welcomed the group and began the meeting with introductions of the Executive Steering Committee (ESC) members. Sheriff Growdon then turned the floor over to Bob Takeshta who covered general housekeeping topics and the introduction of Board of State and Community Corrections (BSCC) staff. He explained that the public will be given several opportunities to provide testimony throughout the meeting. Mr. Takeshta discussed the goals of the meeting including the development of elements of the Request for Proposals (RFP) and defining specific rating factors.

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The following individuals offered public comment: Trisha Sanchez, Assistant Sheriff, San Mateo County; Margaret Laffen, Legal Services for Prisoners with Children; Karen Shane, Legal Services for Prisoners with Children; Nick Warner, Legislative Director for California State Sheriff's Association; Sheriff Scott Miller, Monterey County; Karen Lange, Peterson Consulting for the City and County of San Francisco; and Rodger White, Researcher for Californian's United for a Responsible Budget.

Mr. Takeshta provided a brief summary of the role of the ESC and a history of local detention facility construction funding. The ESC will be responsible for developing the elements of the RFP and rating criteria, evaluating and rating of proposals, creating a rank-ordered list, and making recommendations to the BSCC Board for funding awards.

Mr. Takeshta explained that the ESC meeting is required to be conducted in accordance with the Bagley-Keene Open Meeting Act of 2004. As appointees of the Board, the ESC is acting as an extension of the Board and must comply by making public the elements of the ESC meeting and its materials.

A description of Senate Bill (SB) 1022 was presented by Mr. Takeshta. This legislation authorizes \$500 million in lease-revenue bond financing for the construction and renovation of adult local criminal justice facilities under the jurisdiction of the Sheriff or local Department of Corrections. This includes custodial housing, reentry, program, mental health, or treatment space necessary to manage the adult offender population. Funding consideration shall be given to counties seeking to replace existing, compacted, outdated, or unsafe housing; or seeking to renovate existing or build new facilities providing adequate space for beds and programming within institutional settings or programs in community settings. Funding preference shall be given to counties that are most prepared to proceed successfully with this financing in a timely manner.

Mr. Takeshta suggested that the ESC discuss the idea of splitting the \$500 million into two "pots" of money. One amount would be for projects that would include bed and program space and one amount would be for projects that would include program space only. Splitting the funds would allow like projects to be rated and ranked by proposal type (bed and program space with bed and program space, and program space with program space). Sheriff Growdon opened the issue for discussion to the ESC members. The committee expressed preference for a single pot of money rather than designated amounts for the beds and programs proposals, and for the program space only proposals.

Leslie Heller briefly outlined the steps to a typical RFP process. Ms. Heller then guided the group through a discussion of the Issues Paper for the Executive Steering Committee. The following represents the decisions by the committee to be forwarded to the BSCC Board as recommendations. The BSCC Board has final approval authority for the RFP, timeline and ultimately approving awards to counties.

Scope of Work. The legislation states "A participating county may only add housing capacity using this financing authority if the requesting county clearly documents an existing housing capacity deficiency." The ESC agreed that "existing" shall be defined as

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the capacity on the date of application and that “housing capacity deficiency” shall be defined by counties. The committee agreed that proposals could not build for need projections beyond January 2014.

Public comment was offered by Kevin Carruth, Kitchell CEM.

For purposes of the RFP, the ESC defined “program space” as space in which offenders receive services in the form of programming or treatment to reduce recidivism or as an alternative to incarceration.

Use of Funds. Mirroring the requirements in AB 900 Phase II, the ESC agreed that the state dollars can pay architectural programming and design, and costs for construction management, among other allowable project cost items.

Rating Criteria/Points. Dr. John Kohls led a discussion regarding the rating criteria and provided an example of how rating points could be distributed to each of the rating factors. The ESC discussed and provided input regarding the criteria and made determinations as to the allocation of points.

Funding Set-Asides. The committee determined there should be three separate set-asides of funding for like-sized counties (small 200,000 or less in general population; medium 200,001 to 700,000 in general population; and large 700,001 and above in general population). The \$500,000,000 would be divided as follows:

- Large counties: \$240 million
- Medium Counties: \$160 million
- Small Counties: \$100 million

Public comment was offered by Trisha Sanchez, Assistant Sheriff, San Mateo County; Sheriff Greg Hagwood, Plumas County; Sheriff Scott Miller, Monterey County; and Robert Beaver, Project Coordinator, Orange County Sheriff’s Department.

Cost and Project Caps. The committee determined that there should be a cap (or a maximum dollar amount) to the amount of money that may be awarded to a given project. The project cap amounts are as follows:

- Large counties: \$80 million
- Medium counties: \$40 million
- Small counties: \$20 million

The ESC also determined that counties may submit only one project proposal unless the county is participating in a regional project. In this case they may submit two proposals.

Regional Jail or Program Facilities. Mr. Takeshta explained that regional projects have been allowed in past construction proposal processes. Historically, the proposal would be submitted with one county as a lead agency. The award cap would be determined by the

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size of the lead agency. The committee members agreed that regional jail or program facilities may be authorized for SB 1022 and that the project cap will be determined by the size of the lead agency.

Match Requirements. In recognition of the ten percent county contribution (match) required by legislation, the committee determined the contribution could be any combination of allowable cash and/or in-kind match. Ten percent match would be required for medium and large counties, and five percent match required for small counties.

Ms. Heller provided the ESC with a draft timeline for their approval. She also discussed the previous practice of scheduling county presentations for purpose of allowing the ESC to ask counties to clarify particular issues prior to completing the ranking of proposals. The ESC agreed that county presentations would be an important component of this process. The ESC agreed to limit the length of the proposal to 35 pages of material.

The meeting was adjourned at 4:30.

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**DRAFT Timeline of Key Events  
SB 1022 Adult Local Criminal Justice Facility Construction Program  
Board of State and Community Corrections  
Executive Steering Committee Meeting  
October 26, 2012**

July 26, 2012	BSCC Board appoints Executive Steering Committee (ESC) Chair/Co-Chair.
August 29, 2012	BSCC Board approves member composition of ESC.
October 26, 2012	ESC meeting to develop elements of RFP and proposal evaluation criteria.
December 7 – 14, 2013	ESC has opportunity to review draft RFP.
February 2013	BSCC Board holds special session to take action on RFP.
February 2013	BSCC issues final RFP.
March 1, 2013	Bidders' conference in Sacramento.
May 16, 2013	Proposals due to BSCC office by 5:00 PM.
May 17 – 29, 2013	Staff completes technical requirements review of proposals. Counties are given opportunity to correct technical deficiencies.
May 30, 2013	Raters' training for ESC.
May 31 – June 25, 2013	ESC reviews the proposals and makes preliminary ratings.
June 26 – 27, 2013	Scheduled county presentations on proposals to ESC (Sacramento). ESC makes final rating and ranks proposals for funding recommendations.
June 28 – July 2, 2013	Staff finalizes ESC recommendation package.
July 3, 2013	ESC recommendations mailed to counties and BSCC.
July 2013	ESC recommendations presented to BSCC for funding action/conditional awards at a BSCC scheduled meeting.